

REMARKS

The Office Action of January 7, 2005 has been carefully studied. Applicants acknowledge the allowability of claims 12, 15, 16, 18, 20, 29 and 32 and the fact that claims 8-10, 13 and 28 are merely objected to. The following paragraphs correspond to the order of the paragraphs of the Office Action.

Double Patenting

In response to the rejection of claims 1, 2, 4, 5, 7, 11, 17, 19, 24-27 and 32, attached is a terminal disclaimer which obviates this rejection which is based on the judicially created doctrine of obviousness-type provisional double patenting. The submission of this terminal disclaimer is intended to expedite the allowance of the present application and does not constitute and admission of obviousness under 35 U.S.C. 103 of one set of claims over the other.

Claim Rejections - 35 U.S.C. 102

The rejection of claim 14 is now obviated by the introduction of the subject matter of allowed independent claim 13, namely requiring that the organic base comprises a mineral oil. Accordingly, claim 30 is cancelled.

The rejection of claim 21 is obviated by inserting the allowable subject matter of claim 22 requiring that the wetting agent comprises a sodium dialkyl sulfosuccinate. Claim 22 is accordingly now cancelled.

Claim 23 is a process claim dependent on now allowable claim 21. Accordingly, claim 23 is now also allowable.

Rejected claim 33 is now amended by incorporating the subject matter of allowable claim 34, now cancelled. Thus, claim 33 is allowable.

It is further noted that allowable claim 31 is amended so as to place it in independent form.

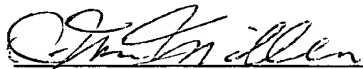
Inasmuch as all the claims are now allowed, it is unnecessary for Applicants to discuss the references. Nevertheless, merely to complete the record without any intention of narrowing the scope of the instant allowed claims, Applicants on information and belief wish to point out

that the Patel and Santhanam relate to invert emulsion compositions used in drilling, completion and workover of oil and gas wells in which the emulsion can be readily and reversibly converted from a water-in-oil type emulsion to an oil-in-water emulsion (see column 1, lines 9-11, column 2, lines 51-58 of Patel and column 8, lines 8-15 of Santhanam). Thus, the emulsifying component is part of the drilling fluid itself and is not used as an emulsion breaking agent, but as an emulsion inverting agent.

Inasmuch as the application now appears to be in condition for allowance, an early notice thereof would be sincerely appreciated. However, if there are any residual issues which can be expeditiously resolved by a telephone conference, the Examiner is courteously invited to telephone Counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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